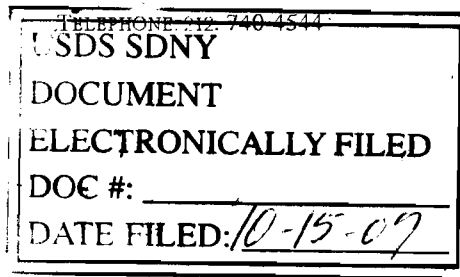


**AARON DAVID FRISHBERG, ESQ.**

116 WEST 111 STREET NEW YORK NEW YORK 10026

Hon. Victor Marrero, USDJ  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



October 13, 2007

Re: Stephens v. Shuttle Associates, et al.  
Dkt. No. 07 civ 5614

Dear Judge Marrero:

My practice is concentrated in the vindication of the rights of persons with disabilities. My responding brief is due on Monday on a motion for dismissal, summary judgment, or severance, by the New York City Transit Authority and MaBSTOA, who we allege violated the rights of my client to board and utilize bus service with her wheelchair, in violation of Title II and Title II-a of the Americans with Disabilities Act;

Meanwhile, however, I received an eleventh hour notice by facsimile from Rockland Psychiatric Center (formerly Rockland State Hospital) that the hospital would be conducting an investigative interview on Tuesday morning of one of my Rockland in-patient clients there, with the intent of assessing the need to seek an order for treatment over her objection.

Consequently, I must in good conscience spend the next few days in preparing my client for that momentous hearing, and am therefore writing to request a third, brief extension, from Monday, October 15, 2007 to Friday, October 19, 2007, of my time to file and serve on opposing counsel the answering papers to the Transit defendants' motion. I have not had an opportunity to seek opposing counsel's consent, due to the emergent nature of the matter and the short notice to me, which I found in my incoming e-faxed mail this morning. I would offer in advance my consent to any further extension required


by Ms. Goetcheus based upon this change in briefing schedule. I apologize for any inconvenience this extension causes opposing counsel or the Court.

Respectfully submitted,

Aaron David Frishberg  
Attorney for Plaintiff

cc: via fax  
Ann Burton Goetcheus, Exec. Agency Counsel  
Joseph Cosby

Respectu

Request GRANTED. The briefing schedule with regard to the motion <u>for summary judgment or summary</u> herein is extended as set forth herein: motion papers submitted by _____; response <u>10-14-07</u> ; reply <u>11-23-07</u> .	
SO ORDERED.	
<u>10-15-07</u> DATE	 VICTOR MARRERO, U.S.D.J.